

BEFORE

THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 93-106-T - ORDER NO. 93-330
APRIL 21, 1993

IN RE: Application of Lincoln Tank Lines, Inc.,)
3598 W. Blue Ridge Drive, Greenville, SC) ORDER
29611, to Transfer Class E Certificate) APPROVING
Nos. 175-C and 8440 to Florida Rock &) TRANSFER
Tank Lines, Inc., 155 East 21st Street,)
Jacksonville, FL 32201.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application filed by Lincoln Tank Lines, Inc. (the Transferor), whereby the Transferor seeks certain relief in the nature of the approval of the transfer of its Certificates of Public Convenience and Necessity to Florida Rock & Tank Lines, Inc. (the Transferee).

Subsequent to the initiation of this proceeding, the Commission Staff instructed the Transferor to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the State of South Carolina.¹ The Notice of Filing

¹See, Smith & Smith, Inc. vs. The Public Service Commission of South Carolina, et.al., ___ S.C. ___, 247 S.E.2d 677 (1978).

indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. No Protests or Petitions to Intervene were filed with the Commission.

Upon consideration of the merits of the instant Application, the representations contained therein, and the documentary evidence attached thereto, the Commission finds that: (1) the transfer of the Certificates will not adversely affect the service to the public authorized by said Certificates; (2) the Transferee is fit, willing and able to perform such service to the public under said Certificates; and (3) service under said Certificates has been continuously offered and reasonably provided to the public up to the time of filing of the Application.

The Commission also finds and concludes that the proposed transfer of the Certificates from the Transferor to the Transferee is in the public interest, and that the relief sought in the Application for transfer should be approved.

IT IS THEREFORE ORDERED:

1. That the proposed transfer of Certificate of Public Convenience and Necessity Nos. 175-C and 8440 from the Transferor to the Transferee be, and hereby is, approved.

2. That the Transferee file the proper license fees and other information required by S.C. Code Ann., Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code

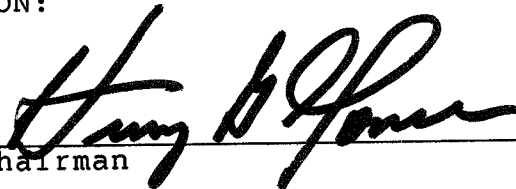
Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. That upon compliance with S.C. Code Ann., Section 58-23-10, et seq., (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26, (1976), as amended, a certificate shall be issued to the Transferee authorizing the motor carrier services granted herein.

4. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein shall not be provided.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)